



COMMITTEE of the WHOLE

CITY COUNCIL

MINUTES
April 9, 2012
5:00 P.M.

COUNCIL MEMBERS PRESENT:

M. Goodman-Hinnershitz, D. Sterner, D. Reed, F. Acosta, R. Corcoran, S. Marmarou, J. Waltman (via speakerphone)

OTHERS PRESENT:

L. Kelleher, S. Katzenmoyer, C. Zale, L. Murin, M. Torres, E. Lloyd

Council President Acosta called the Committee of the Whole meeting to order at 5:06 p.m.

I. Water Authority Lease Agreement Review

Mr. Acosta stated that Ms. Kelleher and Mr. Younger have spoken with Mr. Miravich about Council's concerns. He stated that there has been no response.

Ms. Goodman-Hinnershitz noted the need for the solicitor to be present during these discussions.

Mr. Spencer arrived at this time.

Mr. Acosta noted the need for Council not to take action until Council's concerns are addressed by Mr. Miravich.

II. Charter Referendum Question regarding Authority Membership

Ms. Katzenmoyer explained that this issue was discussed at the Open Government, Rules and Intergovernmental Relations Committee. The Committee would like to add authorities to Charter Section 1002 so that they are consistent with Boards and Commissions.

Ms. Kelleher stated that the PA Authorities Act addresses authority membership and may supersede the Charter. She noted the need for a legal opinion.

Mr. Waltman left the meeting at this time.

III. Council Newsletter Format and Content

Ms. Kelleher distributed a sample newsletter format. She stated that changes can be made and that this format includes areas for District news, current Council topics and a calendar.

Ms. Reed questioned how often the newsletter would be published. Ms. Kelleher stated that it would be published monthly.

Mr. Acosta noted that he likes the Boards, Authorities and Commissions area. He noted the need for more BAC information and links to their minutes.

Ms. Goodman-Hinnershitz suggested highlighting one BAC per issue.

Ms. Kelleher suggested also including the current openings on BACs.

Mr. Acosta suggested an area describing recent legislation and how the changes will affect residents.

Ms. Reed suggested an area describing the work of the Council Committees and links to the meeting summaries.

Ms. Goodman-Hinnershitz suggested a Frequently Asked Questions section.

Ms. Kelleher suggested including contact information for other non-City services and the number for the Customer Service Center.

Ms. Reed suggested adding historical background of the transition from the Commission form of government to the Charter form of government.

Ms. Goodman-Hinnershitz agreed and stated that Council is currently legislative only. She stated that most phone calls she receives must be referred to the CSC and Administrative offices.

Ms. Goodman-Hinnershitz noted her concern with learning how constituent service has been affected by the Administrative transition. She also noted that if the Mayor is doing a newsletter that the information does not conflict or overlap. Mr. Spencer agreed.

Mr. Acosta stated that he is working with the Mayor on a communication process regarding constituent service that will not “bounce” citizens from office to office. He noted the need for a team effort.

Mr. Marmarou stated that he receives many phone calls. He stated that he explains that Council has no authority but that he’s willing to listen and guide callers.

Mr. Spencer noted the need for a coordinated process.

Ms. Goodman-Hinnershitz suggested that the newsletter contain basic Council information and what Council can and cannot do to assist residents.

Mr. Acosta suggested explaining the rationale for the change in the Council Committees.

Ms. Goodman-Hinnershitz suggested including this Council information before describing the work of the BACs.

Mr. Acosta suggested highlighting the Council staff and their duties.

Mr. Marmarou noted the need for information to be continuously updated. He stated that he distributes the City’s Neighborhood Guides to new residents but that they are outdated. He suggested that this Guide be updated.

Ms. Goodman-Hinnershitz stated that Leadership Berks and other non-profits may be willing to update the Guide. She stated that these types of updates are very labor intensive projects. She suggested that the Guide be available electronically and be updated frequently.

Mr. Younger arrived at this time.

Mr. Acosta noted the need for Councilors to hold more Town meetings on current topics.

Mr. Sterner stated that he held Town meetings in the past but became discouraged that staff works hard to contact residents and only 2 – 3 people attend.

Mr. Marmarou stated that there are two very active community groups in his District – College Heights and Northmont.

Mr. Acosta suggested that Councilors attend Mr. Spencer’s Town meetings as they occur in their Districts. Mr. Spencer agreed and stated that Council will receive meeting information so that they can attend. He also stated that Administrative staff will attend District Town meetings as requested.

Ms. Goodman-Hinnershitz noted the need for a meeting regarding the repaving of Cotton St when the information is received from UGI.

Ms. Goodman-Hinnershitz questioned if the newsletter would be printed. Ms. Kelleher stated that it would be on the City's website. She stated that it would be too expensive to mail. She stated that she has been discussing a Council Facebook page with staff.

Ms. Reed suggested placing printed copies in several City establishments.

Mr. Acosta stated that he will work with Council staff to update the newsletter by April 16. He also noted the need to introduce the Councilors and include their photos.

Ms. Reed offered her assistance with editing.

I. Water Authority Lease Agreement Review (continued)

Mr. Younger stated that he has spoken with Mr. Miravich but has no new information at this time.

II. Charter Referendum Question regarding Authority Membership (continued)

Mr. Younger stated that authorities are not included in the Charter as they are covered by the Authorities Act which is a State Statute and would supersede the Charter. He noted that authorities cannot be added to this Charter provision.

Mr. Marmarou questioned who makes appointments. Mr. Younger stated that the Statute describes appointments and the process. He stated that some language is vague and that he would need to review the Statute more closely.

Mr. Acosta questioned if a Council member could be appointed to this authority. Mr. Younger stated that in his review to date he has found nothing precluding a Council member from serving on an authority. He stated that recent court cases show that Council members in other municipalities are serving on authorities.

Mr. Acosta stated that he has notified staff that no applications for this position should move forward without his approval.

IV. Agenda Review

Ms. Kelleher distributed an award of contract that the Administration has requested adding to this evening's consent agenda. She stated that the contract would be awarded to ADP for payroll services.

Council reviewed this evening's agenda including the following:

- Award of Contract – ADP Payroll Services

Mr. Zale explained that currently all payroll and payroll tax duties are performed by City employees. He stated that the current vendor computer program is not supported. He expressed his belief that City employees should not be performing payroll services and the IT manager is in agreement. He stated that payroll services current employees and retirees. *Note: after reviewing the meeting summary, the IT manager stated that his agreement with the payroll issue was a miscommunication.*

Mr. Zale stated that 1,500 checks are issued per month. Current employees receive two checks per month and retirees receive one check per month.

Mr. Zale stated that the City has been penalized by the IRS in the past for their poor tax practices. He stated that the new system is integrated and would perform all payroll and tax duties, time tracking and attendance.

Mr. Marmarou stated that he hears many complaints from retirees about incorrect W-2 forms, late forms and late checks. Mr. Zale stated that the City employees are not payroll experts and should not be processing payroll. He stated that this system will better manage tax, payroll and HR information.

Ms. Goodman-Hinnershitz questioned if employee time could be charged to different cost centers if their duties spanned several departments. Mr. Zale stated that he believed this could be done as necessary.

Mr. Sterner stated that the service sounds great. He questioned the budget impact. Mr. Zale stated that \$50,000 was budgeted for this project and ADP has quoted a cost of \$29,000. He stated that the program will have an annual fee of \$185,000. He stated that the current amount is \$110,000 with many headaches, mistakes and penalties.

Mr. Acosta stated that he has spoken with Carole Snyder and she is moving HR forward in a positive direction.

Mr. Spencer stated that Ms. Snyder has begun interviewing candidates for the HR manager position. He stated that she is also looking at the functions of the HR office.

Mr. Acosta stated that Ms. Snyder is excited about the qualifications of the candidates.

Mr. Marmarou questioned if there were local applicants. Mr. Spencer stated that he was unsure as he has not yet reviewed the information. Mr. Zale stated that the top five candidates are not local.

Mr. Acosta stated that they are willing to relocate to the City.

Ms. Reed stated that the HR manager is not a position mandated by the Charter to have City residency.

- Ordinance amending the process to record ordinances enacted

Ms. Kelleher explained that in the past after ordinances were enacted the printed copies of the codified ordinances were manually updated. She stated that this is laborious and no longer feasible. She stated that during the Recodification process the number of hard copies will be further limited as offices do not update them. Currently, after ordinances are passed, they are added to the City's website and the online codified ordinances are updated. She stated that this amendment updates the legal process of recording ordinances.

Ms. Kelleher noted her hope that computers be available to the public in City Hall so citizens without internet access can view the City's website.

- Ordinance amending public participation

Ms. Kelleher stated that this amendment would require citizens to register to speak at meetings before 5 pm of the meeting day.

Mr. Acosta questioned if this violated the Charter. Mr. Younger stated that Charter section 213 states that the public must be given reasonable opportunity to speak.

Ms. Goodman-Hinnershitz noted that the time limitation on speakers was not the same as the registration time requirement.

There was a discussion of the end of the business day as many City offices close at 4 pm.

Ms. Goodman-Hinnershitz noted her concern that passing this amendment may make the public feel that their comments do not want to be heard.

Mr. Sterner questioned the need for this change. Ms. Kelleher described the tasks she must perform before meetings begin and stated that many people signing up to speak at the last minute will cause her to delay the start of meetings.

Ms. Goodman-Hinnershitz noted the need to inform the public that they may email, call, or stop in the office to register. Ms. Kelleher suggested requesting a new link on the City's website to register speakers.

- Ordinance reducing the amount of expenditures and allocations requiring Council approval to \$10,000

Mr. Sterner stated that he does not support this reduction. He stated that the amount was recently reduced to \$25,000. He noted the need to monitor abuses by the Administration and address the issue in the future if needed.

Ms. Goodman-Hinnershitz noted that she would ordinarily not support this type of legislation but noted that the Administration has been circumventing Council by awarding contracts to those not approved by Council in the position ordinance. She stated that these contracts have budget implications that Council is unaware of if they are not informed. She noted the need for the Administration to respect the fiscal authority of Council.

Mr. Spencer stated that this was an issue many times when he was Council President and Council did not note this level of concern. He stated that he must still account for the funding of contracts.

- Ordinance amending the Quality of Life Ticketing program

Ms. Kelleher stated that this issue was discussed at a Saturday Committee of the Whole and is on the Work Session agenda for April 16. She noted the need for Council to have the position of the Mayor. Mr. Spencer stated that he has been reviewing the program with Mr. Agudo. He stated that he has also accompanied inspectors and stated that alleys continue to be problematic. He stated that most issues ticketed were high grass, indoor furniture outside, and trash receptacles in the front of properties. He stated that it is difficult to determine what has been dumped in alleys and what belongs to residents. He stated that additional warnings may be needed. He stated that the inspectors use a balanced approach.

Ms. Reed noted the condition of the School District lot at Windsor and Ritter Sts. She stated that a neighborhood resident used his personal bulldozer to clean the debris from this area. She expressed her belief that the District should not be allowed to have a property in this condition and not be assessed a penalty. She noted the need to address this property with the District. Mr. Spencer agreed and stated that he will address this property with the District.

Ms. Reed requested noticeable results by the end of next week. Mr. Spencer expressed his hope that it would be addressed.

Ms. Reed stated that this lot decreases the quality of life of many residents.

Mr. Acosta suggested that Mr. Natale visit the site and follow up with the District. He stated that the District is transitioning to a new superintendent. Ms. Purcell has a 90 day plan when she takes office.

Ms. Goodman-Hinnershitz suggested restarting the meetings between the City and the School Board. She suggested that Mr. Natale visit the site and document its condition and that these photos be sent to the District with a letter from the Mayor. She stated that residents are becoming cynical about the ticketing program because some are targeted and others are not.

Ms. Reed stated that this property is along a major gateway to the City.

Mr. Spencer stated that he will speak with Mr. Natale as he may already have addressed the issue.

Mr. Acosta questioned if Council was interested in meeting with the School Board. Council noted that they were.

Ms. Goodman-Hinnershitz stated that the meetings could have great value as there are many joint issues. She suggested that Councilors propose meeting topics.

- Resolution authorizing the formation of a Charter Review Commission

Ms. Kelleher stated that this Commission would have 11 members – 7 appointed by Council and 4 by the Mayor. She noted that the majority of the membership must be citizens and Council must receive a report from the Commission six months after being seated.

There was a discussion of the recommendations of the last Charter Review Commission.

V. Other Business

- Update Citizens Advisory Board

Mr. Acosta stated that Mr. Fegley has resigned. Mr. Fegley was a Mayoral appointee.

Mr. Murin stated that the updated Memorandum of Understanding is streamlined. He stated that he has sent the update to Ms. Kelleher, Mr. Acosta, and the Citizens Advisory Board members. Ms. Kelleher stated that the email had no attachment.

Mr. Spencer stated that the CAB is becoming frustrated and needs a project. He noted the need to finalize the MOU and noted his concern that if there is no project introduced at their upcoming meeting, more people will resign.

Mr. Acosta noted the need for the CAB to have its role defined and to begin a project. He noted that the members are eager to work and want to contribute to the City's recovery.

- Angelica Park leases with Alvernia University and Berks County Conservancy

Ms. Kelleher requested an update as Council has not received any additional information. Mr. Murin stated that the attorneys for Alvernia and the Conservancy are making revisions to the agreements. He stated that Council would receive an update shortly.

Mr. Spencer noted the problems with the baseball field lease agreement. Mr. Murin stated that this has become a major stumbling block.

Mr. Spencer stated that the field usage issues remain. Mr. Marmarou agreed.

Mr. Acosta noted the need to review the agreement regarding Egelman's baseball field. He noted his understanding that there is a small window to inform the organization that the City would like to terminate the lease. He noted the need for Council to review the lease and open the field to Reading children.

Ms. Goodman-Hinnershitz noted that she receives many calls regarding this field as it is in her Council District. She stated that all contracts are being reviewed and that this is a valuable City field. She noted the need to follow up with Lower Alsace regarding Egelman Park.

Mr. Acosta also requested a financial review of the organization regarding Egelman baseball field.

There was a brief discussion regarding this field.

The meeting adjourned at 6:43 pm.

Respectfully Submitted
Linda A. Kelleher, CMC, City Clerk